



State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 803  
TRENTON, NJ 08625-0803

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

RICHARD E. CONSTABLE, III  
*Commissioner*

November 17, 2014

Honorable Thomas Harper  
Mayor, Borough of Wrightstown  
54 West Main Street  
Wrightstown, NJ 08562

Re: Local Government Ethics Law  
Complaint #LFB-12-027  
**NOTICE OF VIOLATION**

Dear Mr. Harper:

The Local Finance Board (Board) issued a **NOTICE OF VIOLATION** regarding its findings in the matter of Complaint #LFB-12-027 against you. Enclosed is the **NOTICE** issued by the Board.

Please be advised that the **NOTICE** is not a final determination if you desire to avail yourself of the right to request an administrative hearing. If a hearing is requested in accordance with the enclosed **NOTICE**, the Board will not issue a final decision until the completion of the administrative hearing process.

Please be further advised that during the course of our review of Complaint #LFB-12-027, we discovered discrepancies among your 2010 through 2014 Financial Disclosure Statements (FDS). Your 2010 and 2011 FDS forms reveal discrepancies regarding your interest in M&T Inc. and the individual who received the source of income. Specifically, you list M&T Inc. as both a "source of income" and a business organization in which you held an "interest." However, in your response to the investigation of Complaint #LFB-12-027, you state that you have no interest in M&T Inc., that it was a mistake. You asserted that M&T Inc. is owned by your parents and that you are an employee. Your 2011 FDS lists M&T Inc. as a "source of income" for your spouse and not yourself. However, a review of your 2012, 2013 and 2014 FDS's show that M&T Inc. is a "source of income" for you and not your spouse.

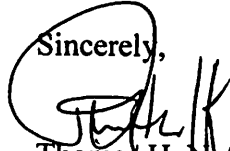
Another review of your 2013 FDS shows you received income from the Wrightstown Municipal Utilities Authority, an independent municipal authority within the Borough of Wrightstown. Please explain to the Board whether or not you received income in excess of \$2,000 as a member of the Wrightstown Municipal Utilities Authority during 2013.



Please also explain to the Board the discrepancies among your 2010, 2011, 2012, 2013 and 2014 FDS's regarding M&T Inc. and have each FDS referenced herein corrected and resubmitted to the Board for review.

Should you have any questions regarding this matter, please contact Eileen Brennen at (609) 292-0479.

Sincerely,

A handwritten signature in black ink, appearing to read 'TH Neff', written over a circular scribble.

Thomas H. Neff, Chair  
Local Finance Board

THN:eb

Enclosure

cc: Complainant



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## STATE OF NEW JERSEY LOCAL FINANCE BOARD NOTICE OF VIOLATION

In Re: [Thomas E. Harper, Mayor, Borough of Wrightstown (Burlington County) Complaint LFB #12-027]

This matter having come before the Local Finance Board (Board) pursuant to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., upon complaint that as Mayor, Thomas E. Harper, who is also employed by M. & T., Inc./Tom's Service Center, 1) arranged business between M. & T., Inc./Tom's Service Center and the Borough of Wrightstown; and 2) represented another party other than the Borough of Wrightstown when he signed purchase orders submitted to the Borough of Wrightstown on behalf of M. & T., Inc./Tom's Service Center in violation of N.J.S.A. 40A:9-22.5.a. and h.; and,

**WHEREAS**, the Board determined that the allegations were within the its jurisdiction, were not frivolous and were based upon a reasonable factual basis, authorized an investigation of this complaint; and

**WHEREAS**, the Local Government Ethics Law states:

N.J.S.A. 40A:9-22.5.a. No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest; and

N.J.S.A. 40A:9-22.5.h. No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities; and

**WHEREAS**, the Board, having considered the matter and the relevant statements and information presented in the written response to the allegations submitted by Thomas E. Harper, concluded that he engaged in a business, transaction or professional activity, in substantial conflict with the property discharge of his duties in the public interest, when he conducted significant business with the Borough as an employee of M. & T., Inc./Tom's Service Center; and that he represented another party other than the Borough when he signed purchase orders



submitted to the Borough on behalf of M. & T., Inc./Tom's Service Center in violation of N.J.S.A. 40A:9-22.5.a. and h.; and


**WHEREAS**, Annual Financial Disclosure Statements filed by Mayor Harper under N.J.S.A. 40A:9-22.6.a(4) for the 2010 year of service dated October 21, 2011 and for the 2011 year of service which is undated, list M. & T. Inc. as a business organization in which an interest was held; and

**WHEREAS**, in his written response to the allegations, Mayor Harper indicates that the corporation, M. & T. Inc. is owned by his parents, Thomas A. Harper and Kathleen Ann Harper, and that he is an employee of the corporation.

It is therefore,

**DETERMINED** that Mayor Thomas E. Harper, shall be assessed a fine in the amount of \$100.00 for the violation as related to his engaging in activities prohibited by statute. Said fine shall be payable to: Treasurer, State of New Jersey, and be submitted to: Thomas H. Neff, Chair, Local Finance Board, P.O. Box 803, Trenton, New Jersey, 08625, immediately. If payment of said fine is not received within 30 days receipt of this **NOTICE**, Mayor Harper is subject to additional fines as determined by the Board in accordance with its powers in N.J.S.A. 40A:9-22.10, Violations and Penalties.

**NOTICE** that Mayor Thomas E. Harper is entitled to an administrative hearing in accordance with N.J.S.A. 40A:9-22.12 to contest this **NOTICE**. Any request for an administrative hearing shall be filed with the Local Finance Board within 30 days receipt of this **NOTICE**. If an administrative hearing is requested, the Board will not issue a final decision until the completion of the administrative hearing process. Said hearing request shall be filed with Patricia Parkin McNamara, Executive Secretary, Local Finance Board, Department of Community Affairs, P.O. Box 803, Trenton, New Jersey 08625.



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THOMAS H. NEFF, CHAIR  
LOCAL FINANCE BOARD